



# NEWS RELEASE

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For Immediate Release:  
Feb. 28, 2012  
Release No. NH 2012-016

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## Corps proposes reissuing New Hampshire Programmatic General Permit for minimal impact activities in state

**CONCORD, Mass.** – The U.S. Army Corps of Engineers, New England District is proposing to reissue the statewide New Hampshire Programmatic General Permit (PGP) for minimal-impact activities in U.S. waters within the state of New Hampshire.

The existing PGP will expire on June 28, 2012. The Corps proposes to reissue the New Hampshire PGP for another five years no later than this date. The reissued PGP will continue the expedited review process for activities in Corps jurisdiction under Section 404 of the Clean Water Act, Section 10 of the Rivers and Harbors Act of 1899, and Section 103 of the Marine Protection, Research and Sanctuaries Act.

A public notice has been issued in accordance with 33 CFR 325.3(b) to coordinate reissuance of the PGP with Federal resource agencies, state agencies and the public. It is available for review on the Corps website listed below. Programmatic General Permits are encouraged under the President's plan as a way to streamline state and Federal regulatory programs. The New England District has already had success with streamlining these programs with the use of PGPs throughout New England. General permits have been in place in New Hampshire since the 1980s.

Continued use of the successful PGP process in place of the Nationwide Permits (NWP) provides benefits to the public, including simplifying the process and expediting decisions while maintaining environmental protection. The reissued PGP would authorize activities formerly covered under the NWP program and currently covered under the existing PGP.

Projects with minimal individual and cumulative effects on the aquatic environment will be approved administratively under this PGP. Projects with the potential for more than minimal effects will be subjected to Individual Permit review. All PGP authorizations will be subject to the applicability requirements, procedures, and conditions contained in the PGP documentation. Project eligibility under this PGP will fall into two categories: non-reporting projects (Category 1) and reporting projects requiring screening (Category 2).

Representatives of the Corps, state agencies, and the Federal resource agencies (U.S. Fish and Wildlife Service, the U.S. Environmental Protection Agency, and the National Marine Fisheries Service) will continue to review Category 2 activities as outlined in the New Hampshire PGP. The current PGP is located at <http://www.nae.usace.army.mil>. Select "Regulatory," then "General Information," then "State General Permits," and then "New Hampshire" or go to link at <http://www.nae.usace.army.mil/Regulatory/SGP/nh.htm>.

– more –

## **Corps proposes reissuance of New Hampshire PGP/2-2-2-2-2**

Projects that do not meet the terms and conditions of the PGP will require an Individual Permit. The PGP reissuance will not alter Individual Permit review procedures. The reissuance also will not alter the Federal exemptions, which are not necessarily the same as the state of New Hampshire's exemptions. In addition, individual PGP authorizations are not valid until all other required Federal and state permits and/or certifications, as listed in the PGP, are obtained. Through interagency screening, the Corps will determine if the individual and cumulative adverse environmental impacts are minimal and whether a project may proceed under PGP authorization.

Activities authorized under the existing PGP which are under construction or are under contract to begin construction in reliance upon this authorization will remain authorized provided the activity is completed within 12 months of the expiration date on this permit, unless the PGP is either modified or revoked; or discretionary authority has been exercised in accordance with the regulation. Activities completed under this PGP will continue to be authorized by the PGP after the expiration date.

To view the proposed changes to the New Hampshire PGP go to the Corps website at <http://www.nae.usace.army.mil>. Select "Regulatory" and then "Public Notices" or go directly to the link at <http://www.nae.usace.army.mil/Regulatory/Public%20Notices/pubnot4.asp?mystate=NH>.

Public comments on this proposal should be forwarded no later than April 28, 2012 to the U.S. Army Corps of Engineers, New England District, Regulatory Division (ATTN: Erika Mark), 696 Virginia Road, Concord, MA 01742-2751. Additional information is available from Permit Project Manager Erika Mark at 978-318-8250 or toll free 800-343-4789 or 800-362-4367 (if calling from within Massachusetts) or by email to: [erika.l.mark@usace.army.mil](mailto:erika.l.mark@usace.army.mil).

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